Atty Docket: EIS-SCHWARTZ21

re Appli ion of: FIGS BACH-SCHWARTZ

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Division

ATTN: BOX MISSING PARTS

Washington, D.C. Confirmation No. 3865

Filing Date: March 24, 2004 For: POLY-GLU, TYR FOR NEUROPROTECTIVE THERAPY

August 3, 2004)

LATE SUBMISSION OF FILING FEE AND/OR DECLARATION FILED UNDER 37 CFR 1.53(b)

Mail Stop Missing Parts Commissioner of Patents P.O. Box 1450 Alexandria 22313-1450 Sir:

The present communication is in response to the "NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION..." dated June 3, 2004. Attached hereto is/are:

Three (3) executed declarations in compliance with 37 C.F.R. 1.63, identifying the present application by title, serial number, filing date, and priority information.

Application Data Sheet. [XX]

.: 10/807,414

Preliminary Amendment to the specification [XX]

An Information Disclosure Statement with 08A-1449 and 12 references. [XX]

Total fees in the amount of: \$1167.00. [XX]

The filing fee is calculated below:

	(Col. 1)	(Col. 2)	SMAI	LL ENTITY		OTHER THAN SMALL ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	OR	RATE	FEE
BASIC FEE				\$ 385.00	OR		\$
TOTAL CLAIMS	71-20	51	X 9=	\$459.00		X 18 =	\$
INDEP. CLAIMS	9- 3	6	X 43 =	\$258.00		X 86=	\$
[] MULTIPLE DEP	ENDENT CLAIM	IS PRESENTED	+ 145 =	\$		+ 290 =	\$
If the difference in Co	1. 1 is less than 0,	enter "0" in Col.	TOTAL	\$1102.00		TOTAL	\$
2							

[XX] Late filing of Declaration surcharge in the amount of: Small Entity [XX] \$65.00 Other than Small Entity [] \$130.00

Applicant claims small entity status. See 37 CFR 1.27. [XX]

It is hereby petitioned for an extension of time in accordance with 37 C.F.R. [] 1.136(a).

The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity Response Filed Within 55.00 First - \$] Second -\$ 210.00 Third \$ 475.00 Fourth -\$ 740.00 Fifth -\$1,005.00

Response Filed Within - \$ 110.00 1 First Second - \$ 420.00 1 - \$ 950.00 Third - \$1,480.00 Fourth F ifth - \$2,010.00 Month After Time Period Set

Other Than Small Entity

Month After Time Period Set Conditional Petition for Extension of Time:

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] Credit Card Payment Form, PTO-2038, authorizing payment in the amount of \$1167.00 is enclosed to cover the fees.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

> BROWDY AND NEIMARK, P.L.L.C. Attorneys for Applicant(s)

Roger L. Browd

Registration No. 25,618

[XX]

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LAJ	Original	I.	J	Substitute	L	J	Supplementalitity. Does	ncc.	DIO SCITTIFICI CELL

Combined Declaration for Patent Application and Power of Attorney

As a below-named inventor, I hereby declare that:	
My residence, post office address and citizenship are as stated below next to my name; and that I believe I am the original,	fir
and cole inventor (if only one name is listed below) or an original first and joint inventor (if plural names are listed below) of	f th

and sole inventor (if subject matter which	office address and citizenship a only one name is listed below, is claimed and for which a pat OR NEUROPROTECTIVE TF	or an original, first and jent is sought on the inven	o my name; and that I believe I am the original, fir joint inventor (if plural names are listed below) of the tion entitled	st 1e
the specification of v	vhich (check one)			
[X]	is attached hereto; was filed in the United States U.S. Appln. No.	*; or	March 24, 2004, as entry into the U.S. national stage of an internation	al
()	(PCT) application, PCT/national stage application reco	; filed eived U.S. Appln. No	, entry requested on*; §371/§102(e) date	*;
and was amended on			(if applicable).	
	(include dates of amendments u	nder PCT Art. 19 and 34 if P	PCT)	
amendment referred		the duty to disclose to the	cification, including the claims, as amended by an e Patent and Trademark Office (PTO) all information	
I hereby claim foreig inventor's or plant b other than the U.S., l	reeder's rights certificate(s), or	S.C. §§ 119 (a)-(d) and a under §365(a) of any PC	365 (b) of any prior foreign application(s) for pater CT application which designated at least one country	ıt, ry
	Application No.	Country	Filing Date (MM/DD/YYYY)	
application designati date <u>before</u> that of th	ng a country other than the U	nited States) or for an in	plication for patent (including an international (PC) ventor's or plant breeder's certificate, having a filing ned (if left blank, then there are none): Filing Date (MM/DD/YYYY)	
I hereby claim the be	enefit under 35 U.S.C. §119(e) Application No 60/527,772	o. Filing D	isional applications listed below: Date (MM/DD/YYYY) 12/09/2003	
PCT international apapplication is not di U.S.C. §112, I ackn C.F.R. §1.56 which date of this application (1997) PCT/IL2 PCT/IL2	pplication(s) designating the U. sclosed in such U.S. or PCT is owledge the duty to disclose the became available between the son: Eation No. Filing 1933,344 1904/000008 L02/00979	S., listed below and, inso international application to the PTO all informatio filing date of the prior application and th	ovisional application(s) or under §365(c) of any prior far as the subject matter of each of the claims of the in the manner provided by the first paragraph of 3 on which is material to patentability as defined in 3 plication and the national or PCT international filing Status (patented, pending, abandoned) Pending Pending	is 35 37 ng

business in the Patent and Trademark Office connected therewith:

All of the practitioners associated with Customer Number 001444

Direct all correspondence to the address associated with Customer Number 001444, which is presently:

BROWDY AND NEIMARK, P.L.L.C. 624 Ninth Street, N.W. Washington, D.C. 20001-5303 (202) 628-5197

Title: POLY-GLU, TYR FOR NEUROPROTEC			
U.S. Application filed	, Serial No		
PCT Application filed	, Serial No		
The undersigned hereby authorizes the U.S. Attorn Ben-Ami & Associates as to any action to be taken	cen in the U.S. Patent and Trademark	c Office regarding	this application w
direct communication between the U.S. Attorneys	s or Agents and the undersigned. In	the event of a cha	nge of the persons
whom instructions may be taken, the U.S. Attorne	ys or Agents appointed herein will be	so notified by the	undersigned.
hereby further declare that all statements made hand belief are believed to be true; and that these ike so made are punishable by fine or imprisonme opardize the validity of the application or any page.	statements were made with the knownent, or both, under 18 U.S.C. §1001	ledge that willful	false statements ar
FULL NAME OF FIRST INVENTOR	INVENTOR'S SIGNATURE		DATE
Michal EISENBACH-SCHWARTZ	Jahal Cit	-	3.6.04
RESIDENCE Rehovot, Israel		CITIZENSHIP Israel	
POST OFFICE ADDRESS			
5 Rupin Street, Rehovot, Israel 76353			
FULL NAME OF SECOND JOINT INVENTOR	INVENTOR'S SIGNATURE		DATE
Ester YOLES	ATTENTON BUILDING		1
RESIDENCE		CITIZENSHIP	1
D.N Nahal Sorek, Israel		Israel	
POST OFFICE ADDRESS		151461	
94 Moshav Beit Gamliel, D.N. Nahal Sorek	, Israel 76880		
FULL NAME OF THIRD JOINT INVENTOR	INVENTOR'S SIGNATURE	· · · · ·	DATE
Ehud HAUBEN			
RESIDENCE		CITIZENSHIP	1
Hadera, Israel		Israel	
POST OFFICE ADDRESS			
38 Ha'alon Street, Hadera, Israel 38244			v.
FULL NAME OF FOURTH JOINT INVENTOR	INVENTOR'S SIGNATURE		DATE
		<u> </u>	
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
FULL NAME OF FIFTH JOINT INVENTOR	INVENTOR'S SIGNATURE		DATE
RESIDENCE		CITIZENSHIP	!
POST OFFICE ADDRESS			
FULL NAME OF SIXTH JOINT INVENTOR	INVENTOR'S SIGNATURE		DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			

Atty. Docket: EIS-SCHWARTZ21A

Page 2 of 2 Pages

ALL INVENTORS MUST REVIEW APPLICATION AND DECLARATION BEFORE SIGNING. ALL ALTERATIONS MUST BE INITIALED AND DATED BY ALL INVENTORS PRIOR TO EXECUTION. NO ALTERATIONS CAN BE MADE AFTER THE DECLARATION IS SIGNED. ALL PAGES OF DECLARATION MUST BE SEEN BY ALL INVENTORS.



ige 1 of 2 Pages

[X] (Original	[]	Substitute	[]	SupplementalAtty. Docket:	EIS-SCHWARTZ21A
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Combined Declaration for Patent Application and Power of Attorney

Cor	ndined Deciaratio	on for Latent Ap	ppiication and 1 o	wer of Attorney
	d inventor, I hereby declare			
and sole inventor	st office address and citize (if only one name is listed ich is claimed and for whic	below) or an original, f	first and joint inventor (if	that I believe I am the original, first plural names are listed below) of the
POLY-GLU, TYP	R FOR NEUROPROTECT	(VE THERAPY		
the specification of	of which (check one)			
[] [x]	is attached hereto; was filed in the United U.S. Appln. No.	States under 35 U.S.C.	§111 on March 24, 2004	I, as
[]	was/will be filed in the	U.S. under 35 U.S.C.	§371 by entry into the U	.S. national stage of an international
	(PCT) application, PC	[/; filed	, entry	requested on*; /§102(e) date*
	(* if known)			
and was amended	on		(if applica and 34 if PCT)	ıble).
	(include dates of amend	ments under PCT Art. 19 a	and 34 if PCT)	
amendment referr known by me to b	ed to above; and I acknow e material to patentability a	ledge the duty to discloss defined in 37 C.F.R.	ose to the Patent and Trad §1.56.	ing the claims, as amended by any lemark Office (PTO) all information rior foreign application(s) for patent,
inventor's or plan other than the U.S	t breeder's rights certificate	e(s), or under §365(a) of	of any PCT application w	hich designated at least one country
	Application No.	Country	Filing Date (M	M/DD/YYYY)
application design	gn priority above, I hereby lating a country other than the earliest application fro Non-Priority Application No	the United States) or f m which foreign priorit	for an inventor's or plant y is claimed (if left blank,	nt (including an international (PCT) breeder's certificate, having a filing then there are none): (MM/DD/YYYY)
- I hereby claim the	benefit under 35 U.S.C. §I	19(e) of any United Sta	ates provisional application	ns listed below:
	• •	ation No. 27,772	Filing Date (MM/DD/YYY 12/09/2003	
PCT international application is not U.S.C. §112, 1 acl C.F.R. §1.56 which date of this applications.	application(s) designating disclosed in such U.S. or knowledge the duty to disc h became available between	the U.S., listed below a PCT international applicose to the PTO all in	and, insofar as the subject lication in the manner pr formation which is mater prior application and the	on(s) or under §365(c) of any prior matter of each of the claims of this ovided by the first paragraph of 35 ial to patentability as defined in 37 national or PCT international filing atented, pending, abandoned)
	9/893,344	06/28/2001	,	Pending
	L2004/000008	01/06/2004		Pending
	T/IL02/00979	12/05/2002		Pending

As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

All of the practitioners associated with Customer Number 001444

Direct all correspondence to the address associated with Customer Number 001444, which is presently:

PCT/IL02/00979

BROWDY AND NEIMARK, P.L.L.C. 624 Ninth Street, N.W. Washington, D.C. 20001-5303 (202) 628-5197

Page 2 of 2 Pages		Atty. Docket: EIS	-SCHWARTZ21A
Title: POLY-GLU, TYR FOR NEUROPROTEC			
U.S. Application filed	, Serial No		
PCT Application filed	, Serial No		
The undersigned hereby authorizes the U.S. Attorn Ben-Ami & Associates as to any action to be tak direct communication between the U.S. Attorneys whom instructions may be taken, the U.S. Attorney	ten in the U.S. Patent and Tradema is or Agents and the undersigned. It is or Agents appointed herein will b	ork Office regarding in the event of a chair is so notified by the t	this application witho nge of the persons fro indersigned.
hereby further declare that all statements made he and belief are believed to be true; and that these sta			
so made are punishable by fine or imprisonment eopardize the validity of the application or any par	t, or both, under 18 U.S.C. §1001		
FULL NAME OF FIRST INVENTOR	INVENTOR'S SIGNATURE		DATE
Michal EISENBACH-SCHWARTZ			
RESIDENCE		CITIZENSHIP	
Rehovot, Israel		Israel	
POST OFFICE ADDRESS			
5 Rupin Street, Rehovot, Israel 76353			
FULL NAME OF SECOND JOINT INVENTOR	INVENTOR'S SIGNATURE		DATE .
Ester YOLES	Yalo	ah	1 31,04.04
RESIDENCE		CITIZENSHIP	
D.N Nahal Sorek, Israel		Israel	
POST OFFICE ADDRESS			
94 Moshav Beit Gamliel, D.N. Nahal Sorek,	Israel 76880		
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Hadera, Israel		Israel	
POST OFFICE ADDRESS			
38 Ha'alon Street, Hadera, Israel 38244			
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POST OFFICE ADDRESS			
FULL NAME OF FIFTH JOINT INVENTOR	INVENTOR'S SIGNATURE		DATE
			<u> </u>
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
FULL NAME OF SIXTH JOINT INVENTOR	INVENTOR'S SIGNATURE		DATE
RESIDENCE		CITIZENSHIP	<u> </u>
DOST OFFICE ADDRESS			



1 of 2 Pages

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ite [] SupplementalAtty. Docket: EIS-SCHWARTZ21A

Combined Declaration for Patent Application and Power of Attorney

As a below-named inventor, I hereby decl		·
My residence, post office address and cit and sole inventor (if only one name is list subject matter which is claimed and for w	ted below) or an original, first and	at to my name; and that I believe I am the original, find joint inventor (if plural names are listed below) of the rention entitled
POLY-GLU, TYR FOR NEUROPROTEG	CTIVE THERAPY	
the specification of which (check one)		
U.S. Appln. No	ted States under 35 U.S.C. §111 c *; or the U.S. under 35 U.S.C. §371 t PCT/; filed cation received U.S. Appln. No	by entry into the U.S. national stage of an internation, entry requested on*; §371/§102(e) date
and was amended on		(if applicable).
(include dates of amo	endments under PCT Art. 19 and 34 ij	(PCT)
amendment referred to above; and I ackn known by me to be material to patentabilit I hereby claim foreign priority benefits un	owledge the duty to disclose to t ty as defined in 37 C.F.R. §1.56. nder 35 U.S.C. §§ 119 (a)-(d) and	pecification, including the claims, as amended by a the Patent and Trademark Office (PTO) all informati d 365 (b) of any prior foreign application(s) for pate PCT application which designated at least one count
Application No.	Country	Filing Date (MM/DD/YYYY)
If I claimed foreign priority above, I here application designating a country other the date before that of the earliest application Non-Priority Application	han the United States) or for an infrom which foreign priority is cla	application for patent (including an international (PC inventor's or plant breeder's certificate, having a fili aimed (if left blank, then there are none): Filing Date (MM/DD/YYYY)
		ovisional applications listed below: g Date (MM/DD/YYYY) 12/09/2003
PCT international application(s) designation application is not disclosed in such U.S. U.S.C. §112, I acknowledge the duty to	ng the U.S., listed below and, ins or PCT international application disclose to the PTO all informati	rovisional application(s) or under §365(c) of any prisofar as the subject matter of each of the claims of the in the manner provided by the first paragraph of the claim which is material to patentability as defined in application and the national or PCT international filing Status (patented, pending, abandoned) Pending
		
PCT/IL2004/000008	01/06/2004	Pending Pending
PCT/IL02/00979	12/05/2002	
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All of the practitioners associated with Customer Number 001444

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Page 2 of 2 Pages	Α	tty. Docket: EIS	-SCHWARTZ21
Title: POLY-GLU, TYR FOR NEUROPROTECTIVE	E THERAPY		
U.S. Application filed	, Serial No		
PC1 Application filed	, Serial No		
The undersigned hereby authorizes the U.S. Attorneys Ben-Ami & Associates as to any action to be taken i direct communication between the U.S. Attorneys or whom instructions may be taken, the U.S. Attorneys or	n the U.S. Patent and Trademark Agents and the undersigned. In	k Office regarding the event of a cha	this application winge of the persons
I hereby further declare that all statements made herein and belief are believed to be true; and that these state like so made are punishable by fine or imprisonment, jeopardize the validity of the application or any patent	ements were made with the know or both, under 18 U.S.C. §1001	vledge that willful	false statements an
FULL NAME OF FIRST INVENTOR	INVENTOR'S SIGNATURE		DATE
Michal EISENBACH-SCHWARTZ			
RESIDENCE	1	CITIZENSHIP	
Rehovot, Israel		Israel	
POST OFFICE ADDRESS	•••		
5 Rupin Street, Rehovot, Israel 76353			
FULL NAME OF SECOND JOINT INVENTOR	INVENTOR'S SIGNATURE		DATE
Ester YOLES	INVENTOR S SIGNATURE		DATE
RESIDENCE		CITIZENSHIP	1
D.N Nahal Sorek, Israel		Israel	
POST OFFICE ADDRESS		Islaci	
94 Moshav Beit Gamliel, D.N. Nahal Sorek, Isra	ael 76880		
			DATE:
FULL NAME OF THIRD JOINT INVENTOR	inventor's signature Ehud Houben.		3/6/04
Ehud HAUBEN	E MARION DEL.		310104
RESIDENCE		CITIZENSHIP	
Hadera, Israel		Israel	
POST OFFICE ADDRESS			
38 Ha'alon Street, Hadera, Israel 38244			
FULL NAME OF FOURTH JOINT INVENTOR	INVENTOR'S SIGNATURE		DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS		1	
FULL NAME OF FIFTH JOINT INVENTOR	INVENTOR'S SIGNATURE		DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
FULL NAME OF SIXTH JOINT INVENTOR	INVENTOR'S SIGNATURE		DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			

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